

KEVIN G. HORBATIUK (KG-4977)
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CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION**

SLAWER KAPPINSKI,

Plaintiff,
-against-

100 CHURCH, LLC, 110 BROADWAY, LLC
222 BROADWAY, LLC 53 PARK PLACE LLC
90 CHURCH STREET LIMITED PARTNERSHIP,
ALAN KASMAN DBA KASCO, AMBIENT
GROUP, INC., AMG REALTY PARTNERS, L.P.,
ANN TAYLOR STORES CORPORATION,
BATTERY PARK CITY AUTHORITY, BELFOR USA
GROUP, INC., BLACKMON-MOORING STEAMATIC
CATASTOPHE, INC., d/b/a BMS CAT, BOARD OF
EDUCATION OF THE CITY OF NEW YORK,
BROOKFIELD FINANCIAL PROPERTIES, INC.,
BROOKFIELD FINANCIAL PROPERTIES, L.C.,
BROOKFIELD PARTNERS, L.P., BROOKFIELD
PROPERTIES CORPORATION, BROOKFIELD
PROPERTIES HOLDINGS, INC., CHASE MANHATTAN
BANK CORPORATION, CUNNINGHAM DUCT CLEANING
CO., CUSHMAN & WAKEFIELD, INC., ENVIROTECH
CLEAN AIR, INC., GPS ENVIRONMENTAL CONSULTANTS,
INC., HILLMAN ENVIRONMENTAL GROUP, LLC
INDOOR AIR PROFESSIONALS, INC.,
INDOOR ENVIRONMENTAL TECHNOLOGY, INC.,
JONES LANG LASALLE AMERICAS, INC.,
JONES LANG LASALLE SERVICES, INC.,
KASKO RESTORATION SERVICES CO., LAW

21 MC 102 (AKH)

**DOCKET NO:
07 CV 1634**

**NOTICE OF
ADOPTION OF
ANSWER TO
MASTER COMPLAINT**

**ENGINEERING, P.C., LAW ENGINEERING
P.C., LIONSHED 110 DEVELOPMENT, LLC
LIONSHED DEVELOPMENT, LLC,
MANUFACTURERS HANOVER
TRUST COMPANY, COMPANY, MERRILL LYNCH
& CO., INC., NOMURA HOLDING AMERICA, INC.,
NOMURA SECURITIES INTERNATIONAL, INC.,
R Y MANAGEMENT CO., INC., ROYAL AND
SUNALLIANCE INSURANCE GROUP, PLC., RY
MANAGEMENT, STRUCTURE TONE (UK), INC.,
STRUCTURE TONE GLOBAL SERVICES, INC.,
SWISS BANK CORPORATION, THAMS REALTY CO.,
TOSCORP INC., TRC ENGINEERS, INC.,
VERIZON NEW YORK, INC., WESTON
SOLUTIONS, INC., WFP TOWER B CO., G.P.,
CORP., WFP TOWER B HOLDING CO., LP.,
WFP TOWER B CO., LP., WFP TOWER D CO.,
G.P., CORP., WFP TOWER D HOLDING CO. I
L.P., WFP TOWER D HOLDING CO., II L.P.,
WFP TOWER D HOLDING I G.P., CORP.,
WFP TOWER D CO., L.P., and ZAR REALTY
MANAGEMENT CORP.,**

Defendants.

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PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102(AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and

disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
January 11, 2008

Kevin G. Horbatiuk

Kevin G. Horbatiuk (KGH4977)

Attorneys for Defendant

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CUNNINGHAM DUCT CLEANING CO.,
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TO: CHRISTOPHER R. LaPOLA, ESQ.,
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CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 11th day of January, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,
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